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AUTHOR Scott, James

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ABSTRACT

Parents fear the possible exposure of their children to Acquired Immune Deficiency Syndrome (AIDS) and herpes in the classroom. Yet infected children cannot simply be kept out of school; under the Education for All Handicapped Children Act, "handicapped" children must be accorded the same educational opportunities, in the same environment, as those provided to those who are not handicapped. Further, administrators can be sued both for excluding infected children from the classroom and for keeping them in school. Certain procedures should be followed when dealing with afflicted students. The tentative guidelines include a decision by health personnel, school personnel, and parents regarding the issue of whether the student should remain in school, and, if not, the child should receive an alternative education from school volunteers. Finally, sanitary measures should be taken to prevent the spread of communicable diseases in the classroom. (RG)

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COMMUNICABLE DISEASES IN THE SCHOOLS

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COMMUNICABLE DISEASES IN THE SCHOOLS

Recent years have seen a dramatic increase in the public's concern about communicable diseases in the schools. At the same time, federal laws have put stringent limits on the extent to which schools can exclude infected children from the classroom. Consequently, school administrators must find ways to strike a balance between protecting the general school population from exposure to dangerous communicable diseases and ensuring the infected student's rights to privacy and to a public education.

Why has the controversy over communicable diseases in the schools arisen?

In recent years, two communicable diseases--AIDS and herpes--have received a great deal of publicity. At present, both diseases are incurable. AIDS is fatal. Although herpes is less worrisome, a number of small children who have contracted herpes have developed serious complications. On rare occasions, those complications have proved fatal.

Under the circumstances, it is not surprising that parents are more concerned about possible exposure of their children to AIDS or herpes than they are about possible exposure of their children to measles or other communicable diseases.

Why not simply exclude infected children from the classroom?

In the past, this might have been the preferred means of dealing with the problem. At present, however, the Education for All Handicapped Children Act requires that, insofar as possible, handicapped children be provided the same educational opportunities, in the same environment, as those provided to children who are not handicapped. Some legal experts believe that children with incurable diseases such as AIDS and herpes may fall under the legal definition of "handicapped."

In addition, the limited evidence available indicates (but does not prove beyond all doubt) that AIDS is not transmitted by the kind of casual contact that would take place in a classroom environment. Herpes is transmitted only through direct contact with herpes sores. Thus the disease poses no danger when sores are not present, and any risk of transmission when they are present can be greatly reduced by keeping them covered.

The whole situation places school administrators in a very delicate position. If they exclude a child from the classroom simply because the child is infected by a disease that might or might not be communicable in the classroom environment, they could be sued by the child's parents (at least one such suit has already been filed). At the same time, if administrators permit an infected child to attend classes and a teacher or other student becomes infected as a result, the newly infected teacher or parents of the newly infected student may very well file suit.

What procedures should school administrators follow in dealing with students who have potentially dangerous communicable diseases?

The National Education Association has proposed a set of procedural guidelines for making decisions regarding students with AIDS. The essential features of those guidelines can reasonably be applied to other potentially dangerous communicable diseases, such as herpes or hepatitis B. Those features are as follows:

First, decisions about whether and to what extent infected students should be permitted to remain in the classroom should be made on a case-by-case basis by a "team composed of public health personnel, the student's physician, the student's parents or guardian, and appropriate school personnel, which shall include the infected student's primary teacher(s)."

Second, if the school has reasonable cause to believe that a student may be infected, the school may require the student to submit to a medical examination.

Third, if an infected student is not permitted to attend classes, every reasonable effort must be

made to provide that student with an alternative education. To the extent that this requires personal contact with the student, only school personnel who volunteer shall be used.

Fourth, "the identity of an infected individual shall not be publicly revealed." However, the infected individual's identity shall be revealed to those school employees who are likely to have regular personal contact with him or her.

It should be emphasized that these are very general guidelines only and that they are subject to change at any time, as more legal and medical knowledge becomes available. School administrators are urged to consult with legal counsel and develop written policies for dealing with dangerous communicable diseases before such diseases make their presence known in the school system.

What can be done at the classroom level to control the spread of communicable diseases such as AIDS and herpes?

According to Crosson, "the application of appropriate hygiene, sanitation and environmental control procedures" is essential for controlling the spread of communicable diseases in general--not just such widely publicized diseases as AIDS and herpes. These include such commonsense measures as using gloves when cleaning up blood, vomit, or feces, and forbidding the mouth-to-mouth sharing of food and objects such as pencils. In addition, a child who is known to be infected with herpes should be checked regularly for sores, and such sores should be covered to ensure that no one else comes in contact with them.

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Prepared by James Scott
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College of Education, University of Oregon
Eugene, Oregon 97403
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